

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Application of the Mussey Grade
Road Alliance for award of
intervenor compensation for
substantial contributions to
Resolution WSD-020

Application A.21-09-XXX
(September 30, 2021)

**MUSSEY GRADE ROAD ALLIANCE APPLICATION FOR INTERVENOR
COMPENSATION FOR SUBSTANTIAL CONTRIBUTIONS TO RESOLUTION WSD-020**

Diane Conklin, Spokesperson
Mussey Grade Road Alliance
P.O. Box 683
Ramona, CA 92065
Telephone: (760) 787-0794
Email: dj0conklin@earthlink.net

Dated: September 30, 2021

1. INTRODUCTION

Pursuant to Rules 1.5 through 1.10, 1.15, 2.1, and 17.1 through 17.4 of the Rules of Practice and Procedure and Section IV of the Intervenor Compensation Program Guide, the Mussey Grade Road Alliance (MGRA or Alliance), files this application for intervenor compensation for substantive contributions to Commission resolution WSD-020 concerning the review and approval of the 2021 Wildfire Mitigation Plan for Southern California Edison Company (SCE).

2. HISTORY

Public Utilities Code Section 8386 requires each electrical corporation to annually prepare and submit a Wildfire Mitigation Plan (WMP) to the Wildfire Safety Division (WSD) of the California Public Utilities Commission for review and approval and requires ratification by the Commission. Section 8386(d) directs the WSD to post all plans and annual updates and to accept comments from the public, state and local agencies, and interested parties. On January 16, 2020, the CPUC adopted Resolution WSD-001, laying out the procedures for the 2020 Wildfire Mitigation Plans. As per California Government Code Section 15475, on July 1st, 2021 the duties and powers of the Wildfire Safety Division were transferred to the Office of Energy Infrastructure Safety (OEIS or Energy Safety).

The Alliance has been involved in the issue of utility wildfire prevention at the CPUC since 2006. We were active participants in both the 2019 and 2020 Wildfire Mitigation Plan reviews and provided substantive feedback on subsequent utility quarterly reports and data releases, which contributed to the 2021 Wildfire Mitigation Plans. MGRA is currently engaged in the PSPS rulemaking (R.18-12-005), RDF proceeding (R.20-07-013), the PG&E RAMP and GRC (A.20-06-012 and A.21-06-021), and the SDG&E RAMP (A.21-05-011). MGRA fully and actively participated in the 2021 WMP review process for SDG&E, SCE and PG&E, issuing data requests, performing a variety of technical analyses, and writing comments for the WSD (and later OEIS). MGRA can demonstrate that it made substantive contributions affecting the final resolutions.

Unlike the 2019 and 2020 WMPs, the Proposed Resolutions for the major utilities were issued in series rather than in parallel, with a period of over a month between issuance dates. MGRA analysis of the WMPs covered all three of the major utilities, often comparing their

performance and programs on specific topics. In the previous cases, MGRA's intervenor compensation request covered all decisions/resolutions that it participated in. Due to the statutory requirement intervenor compensation claims be filed within 60 days of a Commission decision, however, it is not possible to issue a single joint compensation request for the 2021 Wildfire Mitigation Plan work. Therefore, the Alliance is filing three separate applications, one each for SDG&E, SCE, and PG&E. This separation leads to additional complexity in the MGRA filings in that intervenor work needs to be divided by utility as well as by task.

3. PLEA

Resolutions adopted by the Commission are "orders and decisions" of the Commission pursuant to Section 1804(c) of the Public Utilities Code. Section 1801.3 directs that the provisions of the Public Utilities Code related to intervenor compensation "shall be administrated in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process." Under these provisions, contributions to a resolution to a Commission resolution are eligible for intervenor compensation.

Rules regarding intervenor compensation for undocketed proceedings are laid out in Section IV of the Intervenor Compensation Program Guide. On January 29, 2020, Melissa Semcer, the Program Manager of the Wildfire Safety Division responsible for overseeing the 2020 WMP review process, sent an email to the service list of R.18-10-007 referring parties who were interested in claiming intervenor compensation for the WMP review process to this section of the Intervenor Compensation Program Guide. The Guide requires that in order to request intervenor compensation for an undocketed proceeding, intervenors should file an application with the Commission that includes:

- An intervenor compensation claim
- Relevant NOI (notice of intent to claim intervenor compensation) information
- Copies of the draft resolutions where applicable
- All documents served by the intervenor during the proceeding

MGRA filed the appropriate documentation in its 2020 WMP application for intervenor compensation, A.20-08-004, and this filing was accepted and approved in D.21-05-011.

Because MGRA work was performed on SDG&E, PG&E, and SCE in parallel this year's filing contains additional workpapers showing how we believe our efforts should be divided between utilities based on amount of time spent. However, in past proceedings in which MGRA has received compensation for work performed over multiple utilities, costs were generally assigned to utilities based on utility revenue. MGRA has not performed any such revenue-based balancing in its request. Additionally, since much of the work in preparing the intervenor compensation claims is applicable to all utilities, Commission and Staff should note that the intervenor compensation preparation time claim for SDG&E (WSD-019) is larger than that for the other utilities, only because this claim was prepared first. This cost should, in fairness to SDG&E ratepayers, be spread across all utilities.

The Alliance therefore requests that its applications for intervenor compensation for its contributions to WSD-019, WSD-020, and WSD-021 be consolidated into a single proceeding. Reasons that this would be advantageous are:

- Many of the attached documents are fully duplicative and would be burdensome for the Intervenor Compensation Coordinator's office to review individually.
- Commission determinations with respect to intervenor status and compensation amount should be consistent across the applications.
- MGRA timesheets and workpapers are necessarily more complex, since additional work had to be put into dividing tasks into utility categories. A common worksheet and (nearly) identical timesheets are being submitted for all applications, and they should be reviewed together to ensure correctness and consistency.
- Much of the work performed by MGRA was centered on specific topics and drew data from multiple utilities.
- The Commission should have the ability to balance requested compensation across utilities by revenue.

MGRA filed its first intervenor compensation request for its contribution to WSD-019 (SDG&E) on August 24, 2021. Many of the materials required by the present application are duplicative of those filed in that application, which has been given Docket Number A.21-08-016. Where documents have been admitted into the A.21-08-016 record, these will be referred to and not included as attachments to this application.

MGRA is including as attachments to our application:

- Certificate of service
- A notice of intent to claim intervenor compensation
- An intervenor compensation claim
- Timesheets for Alliance expert Joseph W. Mitchell, Ph.D.

Additionally, the following documents were included in the A.21-08-016 filing and will be referred to in the present application:

- Additional worksheet explaining division of tasks by utility
- A Curriculum Vitae for Joseph W. Mitchell, Ph.D.
- Additional Experience Profile for Joseph W. Mitchell supporting his claim for role and compensation.
- MGRA comments on quarterly reports for PG&E, SCE, and SDG&E.
- MGRA comments on 2021 WMPs for PG&E, SCE, and SDG&E, including all data requests (one document)
- MGRA reply comments and revision comments for 2021 WMPs of PG&E, SCE, and SDG&E

4. APPLICANT AND CONTACT INFORMATION

The legal name of the Applicant is the Mussey Grade Road Alliance. The Mussey Grade Road Alliance is an unincorporated association operating as a non-profit 501(c)(4) social welfare organization. MGRA's principle place of operation is Ramona, California. Its address is Post Office Box 683, Ramona, California, 92065.

All correspondence and communication regarding this Application should be addressed to:

Diane Conklin
Spokesperson
Mussey Grade Road Alliance
P.O. Box 683
Ramona, CA 92065
(760) 787 – 0794 T
dj0conklin@earthlink.net

5. SERVICE

A copy of this Application has been served on the service list for R.18-10-005, the Wildfire Mitigation Plan rulemaking.

6. CONCLUSION

MGRA respectfully requests that the Commission accept, evaluate, and approve our claim for intervenor compensation.

Respectfully submitted this 30th day of September, 2021,

By: /S/ **Diane Conklin**

Diane Conklin
Spokesperson
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